

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BRADLEY JOHNSON,

Plaintiff,

v.

No. CIV 13-0904 LAM/WPL

**UNITED STATES OF AMERICA,
JAMES HASKELL and UNITED
SERVICES AUTOMOBILE ASSOCIATION,**

Defendants.

ORDER QUASHING ORDER TO SHOW CAUSE

THIS MATTER is before the Court on its *Order to Show Cause* (Doc. 13), entered January 24, 2014, in which the Court ordered Plaintiff to either effect service on Defendant James Haskell or provide the Court with a written explanation showing good cause why service has not been made. On February 13, 2014, Plaintiff filed *Plaintiff's Response to the Court's January 24, 2014 Order to Show Cause* (Doc. 14), stating that a process server attempted to serve Defendant Haskell on September 29, 2013, but was told that he had moved (*see Doc. 14* at 2 and 5), and, on February 3, 2014, a different process server attempted to serve Defendant Haskell but the address did not exist (*id.* at 2 and 7). Plaintiff states that "Plaintiff's counsel has been in contact with Defendant Haskell's insurance company as to Defendant Haskell's whereabouts," and that "[a]rrangements are being made through the insurance company to obtain service on Defendant Haskell since the address Plaintiff currently has does not seem to be up to date." *Id.* at 2. Plaintiff asks the Court to find that he has shown good cause why service has not been made and to allow Plaintiff additional time to effectuate service on this defendant. *Id.*

The Court finds that this response is an adequate and shows good cause why service has not yet been made on Defendant Haskell. Therefore, the Court will quash its Order to Show Cause. The Court will enter a separate order setting forth a deadline by which Plaintiff must effect service on Defendant Haskell.

IT IS THEREFORE ORDERED that the Court's *Order to Show Cause (Doc. 13)*, is hereby **QUASHED**.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE